

Applicant : John C. Smith *et al.*  
Serial No. : 09/761,579  
Filed : January 18, 2001  
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Attorney's Docket No.:  
06275-287001 / AFG/Z70638-1 US

In the claims:

Claims 1-2 (Canceled)

Claims 3-7 (Withdrawn)

Claim 8 (Canceled)

Claims 9-10 (Withdrawn)

Claim 11 (New): A method for determining the presence or absence of a single nucleotide polymorphism (SNP) in a pyruvate dehydrogenase complex E1 $\alpha$  (PDH E1 $\alpha$ ) gene, the method comprising:

- (a) providing a nucleic acid sample from a human identified as having or at risk for having a PDH-mediated disease, wherein the sample comprises a nucleotide at a position corresponding to position 1388 of SEQ ID NO:2; and
- (b) testing the sample to determine the identity of the nucleotide.

Claim 12 (New): The method of claim 1, further comprising:

- (c) determining that the nucleotide at position 1388 of SEQ ID NO:2 is a T.

Claim 13 (New): The method of claim 1, further comprising:

- (c) determining that the nucleotide at position 1388 of SEQ ID NO:2 is not a C.

Claim 14 (New): The method of claim 11, further comprising determining the identity of a second nucleotide, the second nucleotide being at a position corresponding to position 26 of SEQ ID NO:1.

Claim 15 (New): The method of claim 11, further comprising determining the identity of a second nucleotide, the second nucleotide being at a position corresponding to position 161 of SEQ ID NO:1.

Claim 16 (New): The method of claim 14, further comprising determining the identity of a third nucleotide, the third nucleotide being at a position corresponding to position 161 of SEQ ID NO:1.

Claim 17 (New): A method comprising:

- (a) providing a nucleic acid sample from a human having or at risk for having a PDH-mediated disease, wherein the sample comprises a nucleotide at a position corresponding to position 1388 of SEQ ID NO:2;
- (b) testing the sample to determine the identity of the nucleotide;
- (c) treating the human with an agent that is effective in treating the PDH-mediated disease in some patients;
- (d) determining whether the agent has a therapeutic effect on the human; and
- (e) correlating (i) the therapeutic effect, or lack of therapeutic effect, on the human, with (ii) the identity of the nucleotide.

Claim 18 (New): The method of claim 17, further comprising determining the identity of a second nucleotide, the second nucleotide being at a position corresponding to position 26 of SEQ ID NO:1.

Claim 19 (New): The method of claim 17, further comprising determining the identity of a second nucleotide, the second nucleotide being at a position corresponding to position 161 of SEQ ID NO:1.

Claim 20 (New): The method of claim 18, further comprising determining the identity of a third nucleotide, the third nucleotide being at a position corresponding to position 161 of SEQ ID NO:1.

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Claim 21 (New): The method of claim 11, wherein the identity of the nucleotide is determined by using a method selected from the group consisting of the ARMS<sup>TM</sup> or ALEX<sup>TM</sup> assay, COPS, Taqman<sup>TM</sup>, Molecular Beacons, RFLP, or a restriction site based PCR or FRET technique.

Claim 22 (New): The method of claim 17, wherein the identity of the nucleotide is determined by using a method selected from the group consisting of the ARMS<sup>TM</sup> or ALEX<sup>TM</sup> assay, COPS, Taqman<sup>TM</sup>, Molecular Beacons, RFLP, or a restriction site based PCR or FRET technique.